

1           A           Judge Holder has a Judicial Assistant,  
2           which is basically his secretary --

3           Q           Her name?

4           A           -- by the name of Lorrie Nasco. She was  
5           out on medical leave due to a surgery. And a  
6           substitute Judicial Assistant by the name of Myra Gomez  
7           filled in for Lorrie Nasco for approximately five  
8           months.

9                       Myra Gomez is married to Frank Gomez, who  
10          is a judge in this -- in this circuit. I don't recall  
11          offhand if he's a county judge or a circuit judge.  
12          She's also Dennis Alvarez' first cousin.

13          Q           All right. So, bottom line, Dennis  
14          Alvarez, and it may be perfectly proper, but Dennis  
15          Alvarez has his cousin working for Judge Holder who  
16          he's got a strong distrust for?

17          A           Yes. But I would like to say that when  
18          we spoke to Mrs. Gomez yesterday, she indicated to us  
19          that she was working there at Judge Holder's request.

20          Q           Right.

21          A           That Judge Holder had specifically  
22          requested her to work in his office during this --  
23          during this period of time.

24          Q           Right.

25          A           That he had gone to Judge Alvarez and

1 asked for her.

2 GRAND JUROR: Excuse me.

3 THE WITNESS: Yes, sir.

4 GRAND JUROR: Who led you to believe  
5 that? Who is saying this?

6 THE WITNESS: Okay. That is Myra Gomez  
7 herself is saying that.

8 MR. HILL: Again, please understand,  
9 you're going to have a lot of questions that are  
10 not answered and we will work through those.

11 GRAND JUROR: I'm sorry.

12 BY MR. HILL (resuming):

13 Q All right. If that confusing scene has  
14 been set, maybe we can move towards the 27th then a bit  
15 more directly, and what happens?

16 A Okay. Circuit Judge Greg Holder also  
17 serves, besides being a circuit judge, he's also a  
18 Colonel in the Air Force Reserve.

19 On Wednesday, July 26th Judge Holder  
20 departed the courthouse here on United States Air Force  
21 Reserve training military leave. And he reported to  
22 the Air Combat Command Headquarters, Langley Field in  
23 Virginia.

24 Q Okay.

25 A On Thursday, July 27th at 5:20 p.m. in

1 the evening, Circuit Judge Greg Holder's bailiff,  
2 Sylvia Gay, returns to Judge Holder's office to  
3 retrieve some personal belongings.

4 When she enters the office, when she  
5 enters the office here (indicating), she unlocks the  
6 front doors to the office. She notes -- notices the  
7 light in the break room on and the light in the private  
8 office as being on. She stated that that was unusual;  
9 the lights are normally off.

10 So she stood at the door, and as she was  
11 scanning the room she sees a, she refers to it as a  
12 shadow, but it's actually a reflection in some pictures  
13 that are hanging on the wall here. And the reflection  
14 is sort of moving in that type of a direction.

15 She states that after she sees that  
16 reflection she yells out "hello." Waits one, two  
17 seconds, gets no response, and again yells out "hello."  
18 Waits, gets no response. And then out from around this  
19 corner walks Judge Robert Bonanno carrying an item in  
20 his hand.

21 She said that she was somewhat spooked.  
22 She did not expect to find Judge Robert Bonanno in the  
23 chambers, and she was very surprised at that.

24 Judge Bonanno and the bailiff then had  
25 some general conversation, some general chitchat. They

1 both leave the office. The bailiff, Sylvia Gay,  
2 returns shortly thereafter to inspect the office to see  
3 if everything is in place, see if anything is missing,  
4 and she notices the judge's chair. Now remember, he's  
5 a Colonel in the Air Force Reserve. Everything has got  
6 to be just right. He's very organized, very prim and  
7 proper.

8 His chair is no longer facing his desk;  
9 it's turned around facing a credenza. That, according  
10 to Ms. Gay, that's completely unusual. He never keeps  
11 his chair that way. At this point what Ms. Gay does is  
12 she telephones circuit judge or Judge Holder's wife  
13 who, in turn, contacts Judge Holder in Virginia, and  
14 Judge Holder calls Ms. Gay. Now, this occurred around  
15 5:20 in the evening that Ms. Gay found Judge Bonanno in  
16 the office.

17 Approximately an hour and a half later  
18 Judge Holder sends an e-mail to the Chief Judge, Dennis  
19 Alvarez. In that e-mail, which was sent at 18:58  
20 hours, about an hour and a half later, the subject of  
21 the e-mail was, "What has Bobby B. been up to?" with  
22 six question marks. And the statement is made in  
23 quotations, "Do you want to tell me or do you want me  
24 to ask -- or do you want me to ask him?"

25 Approximately 30 minutes later Judge

1 Holder sends a second e-mail to Judge Alvarez. This  
2 time the subject is "trespass." And in that e-mail he  
3 states, "Deputy Sylvia Gay caught Judge Bonanno going  
4 through my office this evening with the lights off. He  
5 had a file in his hand which may or may not have been  
6 mine. This was at 5:20 p.m. this evening.

7 "I want to speak to him on Monday morning  
8 in your presence and in the presence of court counsel.  
9 Do I need separate locks installed on my doors? If so,  
10 I request that they be installed on Monday. Tell me  
11 what time you want all of us to meet and let's get this  
12 done. He is lucky that she did not pull her gun on him  
13 skulking around like that in the dark trying to hide.  
14 He can call me this evening," and then he provides a  
15 telephone number.

16 Approximately three hours later Judge  
17 Alvarez sends an e-mail to Judge Holder, but instead of  
18 sending the e-mail to Judge Holder up in Virginia via  
19 America Online, as Judge Holder had been sending  
20 e-mails to him, Judge Alvarez sends the e-mail to Judge  
21 Holder's office mailbox.

22 That e-mail -- the subject of that e-mail  
23 was "Monday meeting." It's directed to Robert Bonanno  
24 and Gregory Holder. It states, "I will be available  
25 Monday. Please check your calendars and advise me of

1 the best time to meet. Greg, please advise Deputy Gay  
2 to be available. Thanks."

3 Prior to this e-mail being sent, Judge  
4 Alvarez called Judge Bonanno and then somewhat asked  
5 him what went on this evening. He didn't get into any  
6 of the facts with Judge Bonanno. He was just curious  
7 what the flurry of e-mails was all about. He later  
8 decided, well, we'll just deal with this on Monday  
9 morning after Judge Holder returns from military leave.

10 Okay. Now, those e-mails and the entry  
11 to the office occurred on the 27th. Okay. So the  
12 incident date is the 27th, and those three e-mails all  
13 occurred on that same day.

14 Friday morning at seven o'clock in the  
15 morning Judge Holder, unaware that Judge Alvarez had  
16 responded to his previous e-mails, sends a third e-mail  
17 message to Judge Alvarez. The subject of this e-mail  
18 is "breaking and entering." And it states, "I have not  
19 heard from you in response to last night's e-mail. I'm  
20 asking, requesting that you notify the JQC of last  
21 evening's events and file a complaint on my behalf. My  
22 bailiff will be filing a report with her supervisors on  
23 Monday, and we will let the proper authorities  
24 investigate this."

25 Shortly after, well, three hours after

1 this e-mail is sent Judge Alvarez reaches out and  
2 contacts Corporal Mike Sheehan, who is a Deputy Sheriff  
3 that's assigned to this courthouse, and he requests  
4 Deputy Sheehan to initiate an internal investigation on  
5 his behalf.

6 Now, this investigation is not being  
7 conducted -- is being conducted at the request of the  
8 Chief Judge and the response is to come back to the  
9 Chief Judge. Deputy Sheehan conducts this  
10 investigation. He interviews Judge Holder over the  
11 telephone. He interviews the bailiff, Sylvia Gay, over  
12 the telephone. And he meets in person with Judge  
13 Bonanno.

14 During the interview with Judge Bonanno,  
15 Judge Bonanno stated that that evening he had finished  
16 putting together the monthly stats for the division in  
17 which he works. Judge Bonanno is the Administrative  
18 Judge for the General Civil Division. And as the  
19 Administrative Judge he's sort of like the head judge  
20 of that particular division. Judge Holder works in the  
21 Family Law Division.

22 Now, the stats that Judge Bonanno has  
23 just compiled, the monthly stats, pertain to the  
24 General Civil Division, his division. He stated that  
25 he compiled these stats, and he began passing them out

1 to the various judges on this particular floor. And  
2 that when he started delivering these stats, he ran  
3 into a gentleman by the name of Mike Foster, who is an  
4 attorney here in Tampa.

5 Just as a side note, Mike Foster,  
6 according to the newspaper here last week, was recently  
7 selected as a finalist by the Judicial Nomination  
8 Commission for an upcoming Appellate Judge vacancy here  
9 in the Second District Court of Appeals.

10 But Judge Bonanno's office is at the far  
11 end of this hallway on the left. He runs into Judge  
12 Foster in the office basically across the way from his  
13 on this side of the hallway. Judge Foster is here --

14 Q He's not a judge yet. It's Mike Foster.

15 A Oh, I'm sorry, not Judge Foster, I'm  
16 sorry, attorney. Attorney Mike Foster is trying to get  
17 an order signed for a client that he's representing.  
18 He's trying to get the order signed by Judge Moody.

19 Judge Moody was recently a -- was  
20 recently assigned as a Federal Court Judge. And Judge  
21 Moody was trying to clear up his matters here at the  
22 state level before he moved to the Federal Courthouse.

23 Mike, Mr. Foster was trying to get this  
24 order to Judge Moody before five o'clock. When he got  
25 to Judge Moody's chambers, the doors were locked. So



1 he began having some conversations with the various  
2 people around on his little dilemma there.

3 He ran into Judge Bonanno, and Judge  
4 Bonanno assisted him in getting through some back doors  
5 to meet with Judge Moody. And this is occurring around  
6 five o'clock, a little after 5:00. Where that's  
7 important is the alleged entry to the office. Sylvia  
8 Gay found Judge Bonanno in the office around 5:20 that  
9 evening.

10 After Judge Bonanno assists Mike Foster  
11 in meeting with Judge Moody, they have a short  
12 conversation, and Judge Bonanno then continues moving  
13 through the hallways delivering his stats.

14 He stated that he proceeded to pass the  
15 stats out to the various different judges, and then he  
16 arrived at Judge Gaspar Ficarrotta's office. Judge  
17 Gaspar Ficarrotta's office is located basically right  
18 back here (indicating). There's a small hallway here,  
19 and it's located directly behind Judge Holder's office.

20 He says after he delivers the stats to  
21 that office, he has a couple of items that he wants to  
22 speak to Judge Holder about, and he comes to this side  
23 door here. He reaches for the door to knock and the  
24 door is ajar. He walks in. He says the light in this  
25 office is on, and the light in this office is on. No

1 lights here; he doesn't recall if the light was on here  
2 (indicating).

3 Q I think actually it was on in the break  
4 room.

5 A No. No.

6 Q It wasn't?

7 A No. Judge Bonanno said he saw this light  
8 on, this light on. This was off. He doesn't recall if  
9 this was on or not (indicating). That's different from  
10 Sylvia Gay who said that this light was on and this  
11 light was on.

12 Judge Bonanno stated that he walked into  
13 this door, he called out Judge Holder's name. He  
14 called out, "Greg." And because the lights were on, he  
15 naturally thought the judge was there. He was unaware  
16 the judge had departed on military leave.

17 And he said he walked through this office  
18 and this office in an attempt to look for some personal  
19 belongings like a jacket, a briefcase, was the judge's  
20 computer on, et cetera, to determine if, in fact, he  
21 was there.

22 And then while walking through the  
23 office, he's about ready to leave and he sees a picture  
24 hanging on this wall right here. And it's a -- it's a  
25 picture of several military men marching. And he says

1 that he stopped to take a look at it to see if he could  
2 pick Judge Holder's face out.

3 At this time he hears some movement up  
4 here, the blinds on the front door moving. And he  
5 calls out, "Greg?" for Greg Holder, but there's no  
6 answer. He stated that he then went to see who was at  
7 the door, and that's where he confronted the bailiff,  
8 Sylvia Gay. He said they had some general chitchat,  
9 and then he went his way and she went hers.

10 Well, this internal investigation is  
11 completed by Deputy Sheehan, and he briefs the Chief  
12 Judge, Dennis Alvarez. On Saturday the 29th Judge  
13 Alvarez (sic) returns home from military leave.

14 And on Sunday, July 30th Judge Holder  
15 meets with his bailiff, Sylvia Gay, here at the  
16 courthouse, and he assists her in writing a memorandum  
17 to both himself and the Circuit Judge.

18 And basically what she said in that  
19 memorandum was that, "On Thursday, the 27th July, 2000,  
20 I just finished court with Judge Catherine Essrig in  
21 the Juvenile Division. I then returned to Judge  
22 Holder's office located at Room 370 in the main  
23 courthouse to gather some of my personal belongings  
24 before reporting to duty at Teen Court that evening.  
25 The time was approximately 5:20 p.m.

1 "When I reached Judge Holder's office,  
2 the blinds were drawn and the door locked. I unlocked  
3 the door and entered the outer office used by the  
4 Judicial Assistant. At that time I observed that the  
5 lights were off in the coffee/break room and the  
6 judge's private office. All other lights were off  
7 within the office."

8 She said she had a very uneasy feeling  
9 upon entering the office. The judge's hearing room and  
10 private office, the interior doors were all open. She  
11 says, "The judge's hearing room and private office had  
12 been -- those doors had previously been closed and the  
13 lights off since the judge's departure for military  
14 duty on Wednesday, the 26th." And then she goes on to  
15 relate essentially what -- the story that I related to  
16 you previously.

17 Q In talking with Myra Gomez yesterday, did  
18 she indicate what time she left on July 27th?

19 A If my memory serves me correct, it was  
20 4:30 in the afternoon, I believe.

21 Q And did she relate to you what lights  
22 were on, what doors were closed, that type of thing?

23 A Yes. She stated that she checked, that  
24 she physically checked this door, this door, and this  
25 door (indicating). She appeared to be unaware that

1 this door was, or she didn't recall this door.

2 Q It was not used at all?

3 A It was not used often. But she did check  
4 this door, this door, and this door. She turned off  
5 all the lights in the four offices here, and she opened  
6 all the interior doors for the cleaning crews so the  
7 cleaning crew could come through.

8 Q That was at 4:30 we know it was secured.  
9 And then when Bailiff Gay comes it's about 5:20, 5:25?

10 A Yes, sir.

11 Q And you testified to the condition she  
12 found it in?

13 A Yes, sir.

14 Q Okay.

15 A On Monday, July 31st Chief Judge Dennis  
16 Alvarez, Judge Robert Bonanno, and Judge Gregory Holder  
17 all meet in Judge Alvarez' office. They were unable --  
18 reference this incident that Sylvia Gay had walked  
19 into. They discussed that incident. It's about a  
20 ten-minute meeting or so.

21 They are unable to resolve the issue, and  
22 Judge Holder provides Judge Alvarez with the memorandum  
23 that Sylvia Gay had prepared, and later provides him  
24 with a letter that he has prepared. And it's short.

25 The letter says, "It was widely known by

1 personnel throughout the main courthouse that I would  
2 be absent from the office until Saturday, the 29th of  
3 July. I greatly appreciate your efforts to arrange an  
4 early morning meeting this morning to clear the air,"  
5 reference the incident that had occurred in his office.

6 "Judge Bonanno's statements are entirely  
7 inconsistent with Deputy Gay's memorandum, which I have  
8 attached. I view this matter as a serious breach of  
9 internal security. Judge Bonanno is assigned to the  
10 General Civil Division and I'm currently assigned to  
11 the Family Law Division. We share no files or cases  
12 given our different division assignments.

13 "Judge Bonanno's presence in my office  
14 after hours with doors locked, blinds drawn, as well as  
15 his refusal to identify himself to Deputy Gay causes me  
16 grave concern. It is intuitively obvious to even the  
17 most casual observer that his intentions could  
18 reasonably be considered both hostile and nefarious. I  
19 insist that Judge Bonanno return any materials he took  
20 from my office during this unauthorized entry."

21 And he continues, "While each judge's  
22 office in each of the courtrooms within the main  
23 courthouse share a common key, it has never been -- it  
24 has never before been necessary for each of us to  
25 install separate locks for individual security with the

1 exception," and this is interesting, "with the  
2 exception of the theft of a Judicial Assistant's file  
3 containing printed copies of e-mails that were the  
4 subject of a JQC inquiry. We have to my knowledge  
5 never suffered such a breach of -- such a serious  
6 breach of security. This unprofessional and highly  
7 improper conduct by Judge Bonanno requires a full and  
8 appropriate action by you as Chief Judge."

9 He then requests that the -- that Judge  
10 Alvarez notify the JQC to initiate an ethics type  
11 investigation, their own investigation, as well as the  
12 Sheriff's Office to initiate a criminal investigation.

13 This occurs on the 30th. And on -- I'm  
14 sorry, this meeting occurred on Monday, July 31st. On  
15 Tuesday, August 1st the Hillsborough County Sheriff's  
16 Office initiates a criminal investigation into this  
17 matter and conducts interviews with Judge Holder, Judge  
18 Gaspar Ficarrotta, Bailiff Sylvia Gay, and Judge  
19 Holder's Judicial Assistant, Myra Gomez.

20 As a result of these interviews, the  
21 Sheriff's Office concluded that it would be appropriate  
22 to request the assistance of our agency, the Florida  
23 Department of Law Enforcement. This conclusion was  
24 based upon their finding that there were two or more  
25 Sheriff's Office courthouse staff security members,